Docket No: 28944/50023

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Philippe Cormont, et al. )	Confirmation No: 7225
Serial No.: 10/570,726	Committation 146., 7223
Title: Method and Device for Lithography by) Extreme Ultraviolet Radiation	Group Art Unit: To be assigned
Filed: March 6, 2006 )	Examiner: To be assigned

## PETITION TO WITHDRAW HOLDING OF ABANDONMENT PURSUANT TO 37 C.F.R §1.181(a)

MS PETITION Commissioner for Patents P.O. Box 1450 Alexandria, Virginia 22313-1450

Dear Sirs:

On September 20, 2006, the U.S. Patent and Trademark Office issued a Notification of Abandonment regarding the above-referenced application. By way of this submission, applicants respectfully petition for the withdrawal of such holding of abandonment pursuant to the provisions of 37 C.F.R. §1.181(a).

As applicants contend that the application is not in fact abandoned, a petition fee is not required. In addition, as this petition is filed well within the first two months of receipt of the notification of abandonment, it is timely filed.

Docket No.: 28944/50023

The facts upon which this petition is based are as follows:

1 French patent application No. 0310547, the parent of the above-referenced national phase application, was filed on September 5, 2003.

- 2. PCT application No. PCT/FR04/002226, which claimed priority to the above-referenced French patent application, was timely filed on September 1, 2004.
- Pursuant to the national phase provisions of the Patent Cooperation Treaty, applicant had a total of thirty (30) months of the priority date of September 5, 2003, to file a national phase patent application with the U.S. Patent and Trademark Office. Thirty (30) months from that priority date would have been March 5, 2006.
- However, as March 5, 2006, fell on a Sunday, the provisions of 37 C.F.R. §1.7 state that the application may be filed on the next succeeding business day, which is not a Saturday, Sunday or a federal holiday. In this case, that next succeeding business day would have been March 6, 2006.
- 5. In fact, on March 6, 2006, the above-referenced U.S. patent application (Serial No. 10/570,726) was filed with the U.S. Patent and Trademark Office.
- As evidence of the filing of the above-referenced national stage application on March 6, 2006, enclosed are copies of:
  - (a) the transmittal letter concerning a submission under 35 USC §371 filed with the application;
  - (b) the certification under 37 CFR 1.10 certifying the application was filed by the Express Mail provisions of the U.S. Postal Service on March 6, 2006;
  - (c) a copy of Express Mail Certificate No. EV841156619US showing a "Date Accepted" of March 6, 2006; and

Docket No: 28944/50023

(d) a copy of the return receipt postcard filed with the application on

March 6, 2006, showing a stamp from the U.S. Patent and Trademark

Office of March 6, 2006

- As the thirty (30) month deadline for filing a national phase application was March 6, 2006, and the enclosed documents clearly establish that the application was in fact filed on March 6, 2006, the national phase application was timely filed
- 8. The Notification of Abandonment specifically states that the application was purportedly abandoned for "failure to provide the full U.S. Basic National Fee by 30 months". However, the full U.S. Basic National Fee for a large entity is \$300, and in fact, such fee was filed by way of check along with the application as filed. As evidence of the check being filed with the U.S. Patent and Trademark Office, enclosed are copies of:
  - the return receipt postcard referenced above identifying under its item number 6 that our check No 0375, in the amount of \$300, was enclosed with the filing;
  - (b) the aforementioned submission under 35 USC §371 also stating that our check in the amount of \$300 is enclosed;
  - (c) the certification under 37 CFR 1 10 identifying under its item E, that our check in the amount of \$300 was enclosed with the filing; and
  - (d) a copy of our check number 0375, in the amount of \$300, made payable to the U.S. Patent and Trademark Office, and cleared by our bank.

Docket No : 28944/50023

In light of all the foregoing, applicants respectfully submit not only that the above-referenced national phase application was timely filed within the thirty (30) month time period established by statute, but that the filing specifically included the U.S. Basic National Fee under 37 CFR 1 495(b)(2). Applicants therefore respectfully petition for the notification of abandonment to be withdrawn.

Dated: September 27, 2006

Respectfully submitted,

MILLER, MATTHIAS & HULL One North Franklin Street Suite 2350

Chicago, Illinois 60606

(312) 977-9903

By:

Thomas A. Miller Reg. No.: 40,091

Attorneys for Applicants

PTO-1390 (Rev. 07-2005)
Approved for use through 03/31/2007. OMB 0651-0021
U. S. Patent and Tradernark Office; U.S. DEPARTMENT OF COMMERCE
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

TRANSMITTAL LETTER TO THE UNITED STATES	ATTORNEY'S DOCKET NUMBER
DESIGNATED/ELECTED OFFICE (DO/EO/US)	28944/50023
CONCERNING A SUBMISSION UNDER 35 U.S.C. 371	U.S. APPLICATION NO. (If known see 37 CFR 1.5)
INTERNATIONAL APPLICATION NO INTERNATIONAL FILING DATE	PRIORITY DATE CLAIMED
PCT/FR2004/002226 01 September 2004 TITLE OF INVENTION METHOD AND DEVICE FOR LITHOGRAPHY BY	05 September 2003
WEITHOU AND DEVICE FOR EITHOGRAPHY BY	EXTRIBITE OF TRAVIOLE I MOINTION
APPLICANT(S) FOR DO/EO/US Philippe Cormont; Pierre-Yves Thro; and	Charlie Vacher
,	
Applicant herewith submits to the United States Designated/Elected Office (DO/EO/L	·
1 x This is a FIRST submission of items concerning a submission under 3	
2 This is a SECOND or SUBSEQUENT submission of items concerning	
3 This is an express request to begin national examination procedures (include items (5), (6), (9) and (21) indicated below.	35 U.S.C. 371 (f)). The submission must
The US has been elected (Article 31).	
5 x A copy of the International Application as filed (35 U S C. 371 (c)(2))	
a is attached hereto (required only if not communicated by the Intern	ational Bureau)
b. x has been communicated by the International Bureau	
c is not required, as the application was filed in the United States Re	ceiving Office (RO/US)
6 x An English language translation of the International Application as filed	± (35 U S.C. 371 (c)(2)).
a X is attached hereto.	
b has been previously submitted under 35 U S C. 154(d)(4).	
7 x Amendments to the claims of the International Application under PCT	Article 19 (35 U.S C 371 (c)(3))
a are attached hereto (required only if not communicated by the Inte	rnational Bureau).
b have been communicated by the International Bureau.	
c have not been made; however, the time limit for making such ame	ndments has NOT expired
d x have not been made and will not be made	
8 An English language translation of the amendments to the claims under	PCT Article 19 (35 U.S C. 371 (c)(3))
9 An oath or declaration of the inventor(s) (35 U S C 371 (c)(4)).	
An English language translation of the annexes of the International Pr	ellminary Examination Report under PCT
Items 11 to 20 below concern document(s) or information included:	
11 An Information Disclosure Statement under 37 CFR 1 97 and 1 98	
12 An assignment document for recording A separate cover sheet in compli-	ance with 37 CFR 3 28 and 3 31 is included
13 x A preliminary amendment	
14 x An Application Data Sheet under 37 CFR 1 76	
15 A substitute specification	
16 A power of attorney and/or change of address letter.	
17 A computer-readable form of the sequence listing in accordance with Po	CT Rule 13 <i>ter.</i> 2 and 37 CFR 1 821 - 1 825.
A second copy of the published International Application under 35 U.S	
19 A second copy of the English language translation of the international	
20 x Other items or information: Return receipt postcard	
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PTO-1390 (Rev. 07-2005)
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U. S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE
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## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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Applicant: Frédéric Rousseau

U.S. National Phase of )
International Application No. )

PCT/FR2004/002226

International Filing Date:

01 September 2004

Filed: Herewith (March 6, 2006)

For: Method and Device for Lithography by Extreme Ultraviolet Radiation

Group Art Unit: Not Yet Assigned

Examiner: Not Yet Assigned

Attorney Docket No. 28944/50023

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mailing label

No :

EV841156619US

Date of Deposit: March 6, 2006

) I hereby certify that this paper (or fee) is being deposited with the United States Postal Service "EXPRESS MATL POST OFFICE TO ADDRESSEE" service under 37 CFR §1 10 on the date indicated above and is addressed to: Mail Stop PCI, Commissioner for Patents, P 0 Box 1450, Alexandria, VA 22313-1450

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Gina Knauer

CERTIFICATION UNDER 37 CFR 1.10

Mail Stop PCT Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

I hereby certify the attached items are being deposited with the United States Postal Service on March 6, 2006 in an envelope addressed to Mail Stop PCT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 utilizing the "Express Mail Post Office to Addressee" service of the United States Postal Service under Mailing No EV841156619US.

- a. Transmittal letter to the United States Designated/Elected Office (DO/EO/US) concerning a filing under 35 U.S.C. 371;
- b English language translation of International Application No. PCT/FR2004/002226;
- c. Application Data Sheet;
- d Preliminary Amendment
- e. Check in the amount of \$300.00; and
- f. Return Postcard Receipt

Gina Knauer

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The Patent Office is hereby requested to acknowledge receipt of the following papers by stamping and returning this card

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Title: Method and Device for Lithography By Extreme Ultraviolet Radiation Inventors: Philippe Commont et al. 10 6 MAR 2006 Attorney Docket: 28944/50023 - Filed: Herewith (March 6, 2006)

- 1 Transmittal Letter to the United States Designated/Elected Office (DO/EO/US) concerning a filing under 35 U S.C. 371
- 2 Certificate Under 37 CFR 1 10
- 3 Application Data Sheet
- 4 English language translation of International Application No PCT/FR04/002226
- 5 Preliminary Amendment
- 6. Check No 0375 in the amount of \$300.00

Mailing Date: March 6, 2006 Express Mail No.: EV841156619US



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